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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,411	01/22/2004	Oliver Wendel Gamble		4909

7590 03/02/2006
Oliver W. Gamble
436 East 75 Street
New York, NY 10021

EXAMINER

D AGOSTA, STEPHEN M

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/762,411	Applicant(s) GAMBLE, OLIVER WENDEL	
	Examiner Stephen M. D'Agosta	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 2-9-2006 have been fully considered but they are not persuasive.

1. The corrected abstract still contains the word "invention". This should be removed.
2. During the interview, the applicant clarified that the term "sky rider" was his own word/term and was not a commercially available product.
3. The new claims are now written such that the previous double patenting rejection is overcome. This rejection has been removed.
4. Claims 1-10 have been cancelled and new claims 11-28 were added.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-22 and 25-28 rejected under 35 U.S.C. 102(b) as being anticipated by Giles US 6,731,950 .

As per **claims 11, 19 and 25**, Giles teaches a method of attaching wired extension phones expressly designed to work with a wireless telephonic device (abstract and figure 1), comprising.

(a) electronically interfacing a wireless telephonic device with one or more extension phones expressly designed to work with a wireless telephonic phone (see figures 1 and 6);

(b) a wireless telephonic device containing an access port with connection pins that have a one to one relation with the extension phone keypad and display (figures 1 and 6. Also see figure 4 step #420 whereby dialed digits are sent to cell phone),

(c) a wireless telephonic device with internal components enabling said device to originate calls on/from the extension phone AND (d) a wireless telephonic device with internal components enabling said device to forward a received call to extension (C1, L45 to C2, L6)

(e) audio is passed between the extension phone and the wireless telephonic device via pins of a connection port interfacing said extension phone and wireless telephonic device AND (f) text is passed to the extension phone on the wireless telephonic device via pins of a connection port (audio and text, eg. caller ID information, is passed to/from mobile device from/to wired device, if/when equipped with a display for caller ID as many wired/cordless phones are today)

(g) the internal components of the wireless device able to detect and respond to keys pressed on the extension phone AND (h) the extension phone keypad buttons and display matches the pin configuration of the cell phone connection port (figure 4, step #420 shows dialed digits on wired phones are sent to cell phone)

As per **claims 12, 21 and 26**, Giles teaches claim 11/19, wherein a wireless device ~~will~~ circuitry will be able to use the connection port to forward to the extension phone an audio signal indicating an incoming calls on a wireless telephonic device using the extension phone speaker (C5, L1-27 and figure 5).

As per **claim 13**, Giles teaches claim 1 1, wherein a wireless device is able to detect when the extension phones goes off hook in response to signaling of a incoming call (C5, L1-27 and figure 5).

As per **claims 14 and 20**, Giles teaches claim 12/19, wherein a wireless device is able to detect when the extension phones goes off hook for dialing of an outgoing call (C4, L20-67 and figure 4).

As per **claim 15 and 16**, Giles teaches claim 14/11, wherein a wireless device is able to detect when the extension phones goes on hook indicating the termination of calling activity (figure 4, #430 and #435)

As per **claims 17-18 and 22**, Giles teaches claim 11/17/19, wherein the extension phones will be able to transmit a telephone number dialed on the extension phone to a wireless device as a dial-able phone number (figure 4, #420).

As per **claim 27**, Giles teaches claim 25, wherein the connection port can be used to link the wireless device to multiple Ezphone extensions (figure 1 shows multiple phones).

As per **claim 28**, Giles teaches claim 25 wherein the wireless device is able to recharge its batteries while connected to an Ezphone directly or connected to an Ezphone via connection port to a docking station (abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Giles and further in view of Wonak et al. US 6,778,824 and Robertson GB-2360175.

As per **claims 23-24**, Giles teaches claim 22/19, **but is silent on** wherein the extension phones will be linked to the wireless device via a connection port and the connection port will be for a connection that will not require interfacing component for

Art Unit: 2683

connection ~~the two~~ to occur AND/OR an wireless device circuitry is configured for enable all interfacing components required to link to an EZ-phone extension be located inside of a wireless device, and the wireless device is able to detect linkage to an EZ-phone extension.

Robertson teaches connecting a wired phone to a DECT phone (eg. wireless phone) which provides RF connectivity whereby all electronics are contained in the wireless device/base unit (abstract and figure 1).

Wonak teaches coupling a wired phone to a mobile phone via wireless interface (see abstract and figures).

It would have been obvious to one skilled in the art at the time of the invention to modify Giles, such that the extension phones will be linked to the wireless device via a connection port and the connection port will be for a connection that will not require interfacing component for connection to occur, to provide a direct connection between the wired phone and cell phone without need for a base unit.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2683

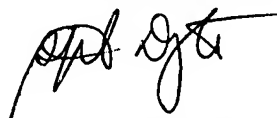
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

STEVE M. D'AGOSTA
PRIMARY EXAMINER



2-24-06